

PILLSBURY WINTHROP SHAW PITTMAN
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EDUARDO I.T., EDWIN E.I.I., Ignacio P.G.,
Leonel Y.P.G., a minor child, Benjamin J.R.,
and William A.J.M.

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. 4:22-cv-05333-DMR

**JOINT NOTICE OF CONDITIONAL
SETTLEMENT AND STIPULATION TO STAY
LITIGATION DEADLINES AS TO IGNACIO
P.G. AND LEONEL Y.P.G.; [PROPOSED]
ORDER**

The parties, by and through undersigned counsel, hereby notify the Court that Plaintiffs Ignacio P.G. and Leonel Y.P.G. (“the P.G. Plaintiff Family”) and Defendant have reached a conditional settlement in this action under the Federal Tort Claims Act, 28 U.S.C. § 2671, et seq. The parties stipulate and request that all deadlines in the Court’s Orders dated **May 17, 2023 (Dkt. 48)** and **February 28, 2024 (Dkt. 73)** be vacated and the action be stayed as to the P.G. Plaintiff Family, based on the following:

1. The parties have reached a conditional settlement of all of the P.G. Plaintiff Family’s claims in this litigation, subject to the approval of the settlement of the minor’s claims by a court of competent jurisdiction, which may take some time, to be followed by the approval of the Attorney General of the United States or his designee.

2. Absent a stay pending finalization of the settlement, litigation burden and expense will be incurred that are to be made unnecessary by the pending settlement.

3. The parties stipulate to file a joint status report every 60 days during the stay to keep the Court apprised of the progress of the pending settlement for the P.G. Plaintiff Family. It is anticipated that, once the settlement is completed, the parties will file a stipulation for dismissal of all claims as to the P.G. Plaintiff Family.

Therefore, in the interest of judicial economy and efficiency, and to preserve the benefit of the pending settlement, the parties request that the Court enter the attached order vacating all deadlines in the Court’s Orders dated **May 17, 2023 (Dkt. 48)** and **February 28, 2024 (Dkt. 73)** as to the P.G. Plaintiff Family, and stay this action as to the P.G. Plaintiff Family pending further stipulation or motion of the parties or Order of the Court.

DATED: May 24, 2024

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLC

By: /s/ Dustin Chase-Woods

Dustin Chase-Woods

Blaine I. Green

LAWYERS' COMMITTEE FOR CIVIL RIGHTS
OF THE SAN FRANCISCO BAY AREA

Victoria Petty
Jordan Wells

Counsel for Plaintiffs

DATED: May 24, 2024

Respectfully submitted,

ISMAIL RAMSEY
United States Attorney

/s/ Kelsey J. Helland
Kenneth Brakebill
Kelsey J. Helland
Assistant United States Attorneys

*Counsel for the United States of
America*

ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatories indicated by the conformed signature (/s/).

/s/ Kelsey J. Helland
Kelsey J. Helland

[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED that because the parties have reached a conditional settlement of the P.G. Plaintiff Family's claims in this litigation, subject to the Court's approval of the settlement of the minor's claims,

1. All deadlines in the Court's Orders dated May 17, 2023 (Dkt. 48) and February 28, 2024 (Dkt. 73) as to the P.G. Plaintiff Family are hereby vacated.
2. This action is stayed as to the P.G. Plaintiff Family pending further stipulation or motion of the parties or Order of the Court.
3. The parties shall file a joint status report within sixty (60) days of the entry of this Order, and every sixty (60) days thereafter, in which they shall keep the Court apprised of the progress of the pending settlement.

DATED: _____

HON. DONNA M. RYU
Chief Magistrate Judge, U.S. Magistrate Court